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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,203	09/15/2003	Hiroki Oka	450100-4392.2	2362
20/999 7590 10/30/2008 FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151				
EXAMINER				
MISLEH, JUSTIN P				
ART UNIT		PAPER NUMBER		
2622				
MAIL DATE		DELIVERY MODE		
10/30/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/663,203

**Applicant(s)**

OKA ET AL.

**Examiner**

JUSTIN P. MISLEH

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 34 - 67 and 70 - 76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34 - 67 and 70 - 76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/059,670.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB008)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed August 18, 2008 have been fully considered but they are not persuasive. Applicant argues, "Specifically, nothing is found in the references which the Office Action relied on that teaches or suggests 'wherein the commander has a mark/click key member, an operation of the mark/click member in a recording mode being interpreted by the video camera as a marking operation, the same operation of the mark/click key member in an edit mode being interpreted by the video camera as a mouse click', as recited in claim 34."
2. The Examiner respectfully disagrees with Applicant's position. Figure 22 of Ueno shows a GUI with a "Shot" button and an image being displayed with coordinates "X, Y". The mouse (37) used to select the "Shot" button and used to adjust the coordinates "X, Y". First, in an image recording mode, when the "Shot" button is depressed by a mouse (37) click, an image is retrieved from the camera (10). Second, in a subsequent operation, the retrieved image is edited using the mouse (37). Third, in a final operation, when the "Get" button is depressed by a mouse (37) click, the final image according to the coordinates is retrieved from the camera. See Ueno, column 19 (line 25) – column 20 (line 9). The "Shot" button and respective mouse click corresponds to a marking operation to mark the image that is desired. The coordinate selection and respective mouse click corresponds to an edit operation. In other words, the camera is responsive to the "Shot" button and is non-responsive to the changing of coordinates.
3. For these reasons, the rejection will be maintained.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 34, 35, 37, 38, 40 – 46, 48, 52 – 54, 56, 59, 61 – 67, and 72 – 76** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 5,479,206) in view of Ootsuka et al. (US 6,393,216 B1).
6. For **Claim 34**, Ueno et al. disclose an image pickup system (imaging system, figures 1-2) comprising a commander (host computer 30, mouse 37, and keyboard 36), a video camera (electronic camera 10) and a display device (display unit 40); wherein said commander includes:

command information storing means for storing a plurality of kinds of command information (all camera control data is stored in the camera control-parameter memory 32B, column 18, lines 40-43);

command information generating means for generating a plurality of kinds of command information which correspond to a plurality of different operations performed by a user (the host computer 30 includes a CPU 31, which creates data and commands based upon input signals applied thereto from the keyboard 36 and mouse 37, column 13 lines 11-15), the generation of the command information being carried out on the basis of said plurality of kinds of command information which are stored in said command information storing means (column 13 lines 10-30); and

transmitting means for transmitting said command information as transmitted information (the host computer 30 includes a communication interface, column 13 lines 16-21);

wherein said video camera includes:

image pickup means for obtaining an image pickup signal by imaging an object (electronic camera 10 includes a CCD 13 arranged at the image-forming position of the image of the subject for outputting a video signal which represents the image of the subject photographed, column 11 lines 59-63);

receiving means for receiving said transmitted information (the electronic camera 10 contains a communication interface 9 for receiving commands sent from the host computer 30, column 11 lines 53-55);

recording and reproducing means for recording and reproducing said image pickup signal to and from a recording medium (column 12, lines 56-62, memory 17 or optical disk 38);

image information storing means (image memory 16 and main memory 17) for storing a plurality of kinds of image information;

display-ready video signal generating means for generating a display-ready video signal by combining either of the image pickup signal obtained by said image pickup means or the image pickup signal reproduced from said recording medium by said recording and reproducing means and said image information (camera control unit 18 and D/A converter 29);

transmitting means for transmitting said display-ready video signal  
(communication I/F 9); and

controlling means for controlling said image pickup means, said recording and  
reproducing means and said display-ready video signal generating means in accordance  
with any one of a plurality of operation modes (camera control unit 18); and  
wherein said display device includes:

receiving means for receiving said display-ready video signal transmitted from  
said transmitting means of said video camera (connected to the host computer 30 is a  
display unit 40 on which are displayed the image of the subject photographed using  
electronic camera 10, column 11 lines 39-42); and

displaying means for displaying an image represented by the received display-  
ready video signal (connected to the host computer 30 is a display unit 40 on which are  
displayed the image of the subject photographed using electronic camera 10, column 11  
lines 39-42),

wherein the commander has a mark/click key member, an operation of the mark/click  
member in a recording mode being interpreted by the video camera as a marking operation~ the  
same operation of the mark/click key member in an edit mode being interpreted by the video  
camera as a mouse click (See Examiner's explanation below).

Figure 22 of Ueno shows a GUI with a "Shot" button and an image being displayed with  
coordinates "X, Y". The mouse (37) used to select the "Shot" button and used to adjust the  
coordinates "X, Y". First, in an image recording mode, when the "Shot" button is depressed by a  
mouse (37) click, an image is retrieved from the camera (10). Second, in a subsequent operation,

the retrieved image is edited using the mouse (37). Third, in a final operation, when the “Get” button is depressed by a mouse (37) click, the final image according to the coordinates is retrieved from the camera. See Ueno, column 19 (line 25) – column 20 (line 9). The “Shot” button and respective mouse click corresponds to a marking operation to mark the image that is desired. The coordinate selection and respective mouse click corresponds to an edit operation. In other words, the camera is responsive to the “Shot” button and is non-responsive to the changing of coordinates.

As indicated above, Ueno et al. disclose an image pickup system (imaging system, figures 1-2) comprising a commander (host computer 30, mouse 37, and keyboard 36). According to Ueno et al., the host computer (30) displays the image of the subject and adjusts camera control parameters. However, Ueno et al. does not specify wherein the commander (host computer 30) is shaped so as to be held by a user in one hand.

On the other hand, Ootsuka et al. also disclose an image pickup system comprising a commander, a camera, and a display device. More specifically, Ootsuka et al. teach, as shown in figures 41A – 43, a commander (RX) having a display device (R8) and a camera (TX). Ootsuka et al. show, as supported by figure 41B and as stated in column 24 (lines 28 – 30) and column 25 (line 28) – column 26 (line 4), wherein the commander (RX) is for performing remote control and includes switches and other operable members corresponding to the switches. Therefore, Ootsuka et al. clearly teach a commander for use in an image pickup system that is shaped so as to be held by a user in one hand, as claimed.

Thus, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to have replaced the host computer (30) disclosed by Ueno et al. with the

commander for use in an image pickup system that is shaped so as to be held by a user in one hand taught by Ootsuka et al. for the advantage of *executing a plurality of different exposure controls in accordance with instructions from the instruction means of the monitor device* (see Ootsuka et al., column 5, lines 7 – 11).

7. As for **Claim 35**, Ueno et al. disclose wherein said video camera and said display device are separate entities (see figure 1, electronic camera 10 and display unit 40 are separate entities).

8. As for **Claim 37**, Ueno et al. disclose wherein said commander and said video camera are separate entities (figure 1 shows that host computer 30 and electronic camera 10 are separate entities).

9. As for **Claim 38**, Ueno et al. disclose wherein said video camera, said display device and said commander are separate entities (figure 1 shows that electric camera 10, display unit 40 and host computer 30 are separate entities).

10. As for **Claim 40**, Ueno et al. disclose wherein said image information storing means (image memory 16 and main memory 17) stores a plurality of kinds of image information constituting a graphic user interface capability (column 12 lines 56-67 through column 13 lines 1-6 describes the information stored in the memory and see also figures 10-24 for examples of graphic user interfaces on the display based on the information from the memories 16 and 17).

11. As for **Claim 41**, Ueno et al. disclose wherein, in accordance with the operation mode, said controlling means (camera control unit 18) controls said display-ready video signal generating means to generate said display-ready video signal by use of different kinds of image information read from said image information storing means and said image pickup signal obtained by said image pickup means (figure 2 shows the camera control unit 18 receiving

information from main memory 17 and from CCD 13, this is interpreted as the camera control unit receive information such as exposure from the memory and using the information from the CCD to generate a signal that is sent to the D/A converter in order to be sent to the display).

12. As for **Claim 42**, Ueno et al. disclose wherein said plurality of operation modes include a standby mode (Window) in which images based on the image pickup signals obtained by said image pickup means are displayed on said displaying means but in which said image pickup signals are not recorded to said recording medium (the received image data is stored in the transfer buffer 32A and the image data is displayed in the main-image area 123, column 22 lines 5-8), and a recording mode (Window then File) in which the images based on said image pickup signals obtained by said image pickup means are displayed on said displaying means and in which said image pickup signals are recorded to said recording medium (column 22 lines 10-23).

13. As for **Claim 43**, Ueno et al. disclose wherein at least a part of said image information constitutes a graphic user interface capability which is not used in said recording mode but used in said standby mode (column 22 lines 1-16 describe how the window mode displays the image on the display in a graphical user interface as seen in figure 24 and the file mode does not display the image on the display).

14. As for **Claim 44**, Ueno et al. disclose wherein said plurality of operation modes include a recording mode (Window then File) in which the images based on said image pickup signals obtained by said image pickup means are displayed on said displaying means (column 22 lines 1-16 describe how the window mode displays the image on the display in a graphical user interface) and in which said image pickup signals are recorded to said recording medium

(column 22 lines 10-23) and an edit mode in which the image pickup signals recorded on said recording medium are edited (figure 22 and column 20 lines 1-9 describe the editing mode).

15. As for **Claim 45**, Ueno et al. disclose wherein at least a part of said image information constitutes a graphic user interface capability which is not used in said recording mode (File mode describes how when the information is recorded to a disc it is not displayed, column 22 lines 10-13) but used in said edit mode (figure 22 and column 20 lines 1-9 describe the editing mode using a graphical user interface).

16. As for **Claim 46**, Ueno et al. disclose wherein said display-ready video signal generating means generates a pointer constituting part of said graphic user interface capability on the basis of said image information (since the mouse 37 is used to make selections on the display unit it is inherent that the video that is generated for the display will contain the pointer for the mouse).

17. As for **Claim 48**, Ueno et al. disclose wherein said commander includes moving state detecting means for detecting self-movements of the commander brought about by the user (it is inherent that the CPU detects the movement of the mouse, which is moved by the user), and wherein said command information generating means of said commander generates command information based on the movements detected by said moving state detecting means (the movement of the mouse generates a command to edit the image as seen in column 20 lines 1-9 and in figure 22).

18. As for **Claim 52**, Ueno et al. disclose wherein said plurality of operation modes includes an image pickup mode in which said image pickup means picks up those images of an object which are recorded as image pickup signals to said recording means (File mode describes how when the information is recorded to a disc, column 22 lines 10-13), and an edit mode in which

the image pickup signals recorded earlier to said recording medium in said image pickup mode are edited (figure 22 and column 20 lines 1-9 describe the editing mode).

19. As for **Claim 53**, Ueno et al. disclose wherein said image pickup mode includes a standby mode (Window) in which images based on the image pickup signals obtained by said image pickup means are displayed on said displaying means but in which said image pickup signals are not recorded to said recording medium (the received image data is stored in the transfer buffer 32A and the image data is displayed in the main-image area 123, column 22 lines 5-8), and a recording mode (Window then File) in which the images based on said image pickup signals obtained by said image pickup means are displayed on said displaying means and in which said image pickup signals are recorded to said recording medium (column 22 lines 10-23).

20. As for **Claim 54**, Ueno et al. disclose wherein, in accordance with each of said plurality of operation modes, said controlling means accepts a specific part of the information received by said receiving means and ignores the remainder of the received information (figure 13 is interpreted as the controlling means accepting and sending only exposure information to the computer and display in that the user can only manipulate the exposure when these options are given).

21. As for **Claim 56**, Ueno et al. disclose wherein said recording medium is a disk-type storage medium (optical disk 38).

22. As for **Claim 58**, Ueno et al. disclose wherein said video camera further includes an operation mode setting switch for setting one of said plurality of operation modes (the camera controller 59 is provided with a recording switch 58, column 26 lines 17-22).

23. For **Claim 59**, Ueno et al. disclose an image pickup apparatus comprising (imaging system, figures 1-2):

image pickup means for obtaining an image pickup signal by imaging an object (electronic camera 10 includes a CCD 13 arranged at the image-forming position of the image of the subject for outputting a video signal which represents the image of the subject photographed, column 11 lines 59-63); and receiving means for receiving a signal which is supplied from an external device and which includes command information (the electronic camera 10 contains a communication interface 9 for receiving commands sent from the host computer 30, column 11 lines 53-55); wherein said external device is a commander, having:

command information storing means for storing a plurality of kinds of command information (all camera control data is stored in the camera control-parameter memory 32B, column 18, lines 40-43);

command information generating means for generating a plurality of kinds of command information which correspond to a plurality of different operations performed by a user (the host computer 30 includes a CPU 31, which creates data and commands based upon input signals applied thereto from the keyboard 36 and mouse 37, column 13 lines 11-15), the generation of the command information being carried out on the basis of said plurality of kinds of command information which are stored in said command information storing means (column 13 lines 10-30);

command transmitting means for transmitting said command information as transmitted information (the host computer 30 includes a communication interface, column 13 lines 16-21);

recording and reproducing means for recording and reproducing said image pickup signal to and from a recording medium (column 12, lines 56-62, memory 17 or optical disk 38);

image information storing means for storing a plurality of kinds of image information (image memory 16 and main memory 17); display-ready video signal generating means for generating a display-ready video signal by combining either of the image pickup signal obtained by said image pickup means or the image pickup signal reproduced from said recording medium by said recording and reproducing means and said image information (camera control unit 18 and D/A converter 29);

signal transmitting means for transmitting said display-ready video signal (communication I/F 9); and

controlling means for controlling said image pickup means, said recording and reproducing means and said display-ready video signal generating means in accordance with any one of a plurality of operation modes (camera control unit 18),

wherein the commander has a mark/click key member, an operation of the mark/click member in a recording mode being interpreted by the video camera as a marking operation~ the same operation of the mark/click key member in an edit mode being interpreted by the video camera as a mouse click (See Examiner's explanation below).

Figure 22 of Ueno shows a GUI with a "Shot" button and an image being displayed with coordinates "X, Y". The mouse (37) used to select the "Shot" button and used to adjust the coordinates "X, Y". First, in an image recording mode, when the "Shot" button is depressed by a mouse (37) click, an image is retrieved from the camera (10). Second, in a subsequent operation, the retrieved image is edited using the mouse (37). Third, in a final operation, when the "Get"

button is depressed by a mouse (37) click, the final image according to the coordinates is retrieved from the camera. See Ueno, column 19 (line 25) – column 20 (line 9). The “Shot” button and respective mouse click corresponds to a marking operation to mark the image that is desired. The coordinate selection and respective mouse click corresponds to an edit operation. In other words, the camera is responsive to the “Shot” button and is non-responsive to the changing of coordinates.

As indicated above, Ueno et al. disclose an image pickup system (imaging system, figures 1-2) comprising a commander (host computer 30, mouse 37, and keyboard 36). According to Ueno et al., the host computer (30) displays the image of the subject and adjusts camera control parameters. However, Ueno et al. does not specify wherein the commander (host computer 30) is shaped so as to be held by a user in one hand.

On the other hand, Ootsuka et al. also disclose an image pickup system comprising a commander, a camera, and a display device. More specifically, Ootsuka et al. teach, as shown in figures 41A – 43, a commander (RX) having a display device (R8) and a camera (TX). Ootsuka et al. show, as supported by figure 41B and as stated in column 24 (lines 28 – 30) and column 25 (line 28) – column 26 (line 4), wherein the commander (RX) is for performing remote control and includes switches and other operable members corresponding to the switches. Therefore, Ootsuka et al. clearly teach a commander for use in an image pickup system that is shaped so as to be held by a user in one hand, as claimed.

Thus, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to have replaced the host computer (30) disclosed by Ueno et al. with the commander for use in an image pickup system that is shaped so as to be held by a user in one

hand taught by Ootsuka et al. for the advantage of *executing a plurality of different exposure controls in accordance with instructions from the instruction means of the monitor device* (see Ootsuka et al., column 5, lines 7 – 11).

24. As for **Claim 61**, Ueno et al. disclose wherein said image information storing means (image memory 16 and main memory 17) stores a plurality of kinds of image information constituting a graphic user interface capability (column 12 lines 56-67 through column 13 lines 1-6 describes the information stored in the memory and see also figures 10-24 for examples of graphic user interfaces on the display based on the information from the memories 16 and 17).

25. As for **Claim 62**, Ueno et al. disclose wherein, in accordance with the operation mode, said controlling means (camera control unit 18) controls said display-ready video signal generating means to generate said display-ready video signal by use of different kinds of image information read from said image information storing means and said image pickup signal obtained by said image pickup means (figure 2 shows the camera control unit 18 receiving information from main memory 17 and from CCD 13, this is interpreted as the camera control unit receive information such as exposure from the memory and using the information from the CCD to generate a signal that is sent to the D/A converter in order to be sent to the display).

26. As for **Claim 63**, Ueno et al. disclose wherein said plurality of operation modes include a standby mode (Window) in which images based on the image pickup signals obtained by said image pickup means are displayed on said displaying means but in which said image pickup signals are not recorded to said recording medium (the received image data is stored in the transfer buffer 32A and the image data is displayed in the main-image area 123, column 22 lines 5-8), and a recording mode (Window then File) in which the images based on said image pickup

signals obtained by said image pickup means are displayed on said displaying means and in which said image pickup signals are recorded to said recording medium (column 22 lines 10-23).

27. As for **Claim 64**, Ueno et al. disclose wherein at least a part of said image information constitutes a graphic user interface capability which is not used in said recording mode but used in said standby mode (column 22 lines 1-16 describe how the window mode displays the image on the display in a graphical user interface as seen in figure 24 and the file mode does not display the image on the display).

28. As for **Claim 65**, Ueno et al. disclose wherein said plurality of operation modes include a recording mode (Window then File) in which the images based on said image pickup signals obtained by said image pickup means are displayed on said displaying means (column 22 lines 1-16 describe how the window mode displays the image on the display in a graphical user interface) and in which said image pickup signals are recorded to said recording medium (column 22 lines 10-23) and an edit mode in which the image pickup signals recorded on said recording medium are edited (figure 22 and column 20 lines 1-9 describe the editing mode).

29. As for **Claim 66**, Ueno et al. disclose wherein at least a part of said image information constitutes a graphic user interface capability which is not used in said recording mode (File mode describes how when the information is recorded to a disc it is not displayed, column 22 lines 10-13) but used in said edit mode (figure 22 and column 20 lines 1-9 describe the editing mode using a graphical user interface).

30. As for **Claim 67**, Ueno et al. disclose wherein said display-ready video signal generating means generates a pointer constituting part of said graphic user interface capability on the basis

of said image information (since the mouse 37 is used to make selections on the display unit it is inherent that the video that is generated for the display will contain the pointer for the mouse).

31. As for **Claim 72**, Ueno et al. disclose wherein said plurality of operation modes include an image pickup mode in which said image pickup means picks up those images of an object which are recorded as image pickup signals to said recording means (File mode describes how when the information is recorded to a disc, column 22 lines 10-13), and an edit mode in which the image pickup signals recorded earlier to said recording medium in said image pickup mode are edited (figure 22 and column 20 lines 1-9 describe the editing mode).

32. As for **Claim 73**, Ueno et al. disclose wherein said image pickup mode includes a standby mode (Window) in which images based on the image pickup signals obtained by said image pickup means are displayed on said displaying means but in which said image pickup signals are not recorded to said recording medium (the received image data is stored in the transfer buffer 32A and the image data is displayed in the main-image area 123, column 22 lines 5-8), and a recording mode (Window then File) in which the images based on said image pickup signals obtained by said image pickup means are displayed on said displaying means and in which said image pickup signals are recorded to said recording medium (column 22 lines 10-23).

33. As for **Claim 74**, Ueno et al. disclose wherein, in accordance with each of said plurality of operation modes, said controlling means accepts a specific part of the information received by said receiving means and ignores the remainder of the received information (figure 13 is interpreted as the controlling means accepting and sending only exposure information to the computer and display in that the user can only manipulate the exposure when these options are given).

34. As for **Claim 75**, Ueno et al. disclose wherein said recording medium is a disk-type storage medium (optical disk 38).

35. As for **Claim 76**, Ueno et al. disclose further comprising an operation mode setting switch for setting one of said plurality of operation modes (the camera controller 59 is provided with a recording switch 58, column 26 lines 17-22).

36. **Claims 39 and 60** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 5,479,206) in view of Ootsuka et al. (US 6,393,216 B1) in further view of Takahashi et al. (US 6,480,671).

37. As for **Claim 39**, Ueno et al. disclose wherein a signal transmission is performed between said transmitting means of said commander and said receiving means of said video camera (interface 33 to 9), and between said transmitting means of said video camera and said receiving means of said display device (figure 1 and 2).

However, Ueno et al. in view of Ootsuka et al. do not explicitly disclose that the communication between the electronic devices is wireless.

In the same field of endeavor, Takahashi et al. teach a video camera 10 that communicates captured video to a monitor device 25 (figure 2). Takahashi et al. further teach that the video camera and a recording and reproducing apparatus each comprise a communication circuit arranged to modulate by a spread spectrum communication method a video signal outputted from an image pickup element and transmit the modulated video signal to an external monitor by wireless communication (column 5, lines 19-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the wireless communication between electronic devices found in Takahashi et al. into the image pickup system found in Ueno et al. (in combination with Ootsuka et al.) in order to provide a system that has mobility for its devices to move around in their environment and/or easy relocation of the system without the requirement of rewiring.

38. As for **Claim 60**, Ueno et al. disclose a receiving means (communication interface 9).

However, Ueno et al. in view of Ootsuka et al. do not explicitly teach that the communication between the electronic devices is wireless.

In the same field of endeavor, Takahashi et al. teach a video camera 10 that communicates captured video to a monitor device 25 (figure 2). Takahashi et al. further teach that the video camera and a recording and reproducing apparatus each comprise a communication circuit arranged to modulate by a spread spectrum communication method a video signal outputted from an image pickup element and transmit the modulated video signal to an external monitor by wireless communication (column 5, lines 19-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the wireless communication between electronic devices found in Takahashi et al. into the image pickup system found in Ueno et al. (in combination with Ootsuka et al.) in order to provide a system that has mobility for its devices to move around in their environment and/or easy relocation of the system without the requirement of rewiring.

39. **Claims 36, 55, and 57** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 5,479,206) in view of Ootsuka et al. (US 6,393,216) in further view of Reichlen (US 6,061,064).

40. As for **Claim 36**, Ueno et al. disclose a display device (display unit 40).

However, Ueno et al. in view of Ootsuka et al. do not explicitly teach that the display is shaped to be worn on the head of the user.

In the same field of endeavor, Reichlen teaches a system that integrates a camera, display, and computer as a controller as seen in figures 1 and 14. Reichlen further discloses a head mounted display 22, seen in figure 1.

Therefore, it would have been obvious to one of ordinary skill in the art to include the capability of wearing the display on the user's head found in Reichlen into the display of the image pickup system found in Ueno et al. (in combination with Ootsuka et al.) in order to provide the user with a wide field of view and so that the user can have easy control over the computer by moving their head (column 3 lines 28-36, Reichlen).

41. As for **Claim 55**, Ueno et al. disclose a display device (display unit 40).

However, Ueno et al. in view of Ootsuka et al. do not explicitly teach that the display system includes a microphone for generating an audio signal and transmitting means for transmitting the audio signal.

In the same field of endeavor, Reichlen teaches a system that integrates a camera, display, and computer as a controller as seen in figures 1 and 14. Reichlen further discloses that the head mounted unit 161 includes a microphone 166 and transmission means in wires 172 which communicate information to the computer (Figure 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the microphone found in Reichlen into the display device of the image system found in Ueno et al. (in combination with Ootsuka et al.) in order to enable the user to enter speech information into the recorded information (column 14 lines 41-45, Reichlen).

42. As for **Claim 57**, Ueno et al. disclose a commander (host computer 30, mouse 37, and keyboard 36).

However, Ueno et al. in view of Ootsuka et al. do not explicitly teach that the commander includes a microphone for obtaining audio signals.

In the same field of endeavor, Reichlen teaches a system that integrates a camera, display, and computer as a controller as seen in figures 1 and 14. Reichlen further discloses that the computer 14A includes a microphone 166 for obtaining an audio signal (Figure 15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the microphone found in Reichlen into the computer found in Ueno et al. (in combination with Ootsuka et al.) in order to enable the user to enter speech information into the recorded information (column 14 lines 41-45, Reichlen).

43. **Claims 47, 49, 70, and 71** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 5,479,206).

44. As for **Claim 47**, Ueno et al. disclose, in the first embodiment, teach the image pickup system according to Claim 46.

However, the first embodiment does not explicitly teach that the pointer is moved by the controlling means based on a signal received by the receiving means of the camera.

In the same field of endeavor, a second embodiment of Ueno et al. teaches that the mouse 37, which produces the pointer is directly interfaced to the camera control unit 18 which moves the pointer on the display 40 (see fig 27).

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the direct interface of the mouse to the controlling means of the camera as seen in a second embodiment into the image pickup system described in the first embodiment in order to directly store certain controlling information in the camera, providing a faster and more efficient system (column 25 lines 1-16).

45. As for **Claim 49**, the combination of the first and said second embodiment of Ueno et al. further teaches the image pickup system according to Claim 47, wherein, upon receipt of a signal including a predetermined command transmitted from said commander (host computer 30, mouse 37, and keyboard 36, first embodiment), said controlling means moves said pointer only unidirectionally on the basis of the transmitted signal (it is interpreted that the mouse 37 pointer, which is displayed according to the signal provided by the camera control unit 18 can be moved unidirectionally).

46. As for **Claim 70**, Ueno et al. disclose, in the first embodiment, teach the image pickup apparatus according to Claim 67.

However, the first embodiment does not explicitly teach that the pointer is moved by the controlling means based on a signal received by the receiving means of the camera.

In the same field of endeavor, a second embodiment of Ueno et al. teaches that the mouse 37, which produces the pointer is directly interfaced to the camera control unit 18 which moves the pointer on the display 40 (see fig 27).

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the direct interface of the mouse to the controlling means of the camera as seen in a second embodiment into the image pickup apparatus described in the first embodiment in order to directly store certain controlling information in the camera, providing a faster and more efficient system (column 25 lines 1-16).

47. As for **Claim 71**, the combination of the first and said second embodiment of Ueno et al. further teaches the image pickup apparatus according to Claim 70, wherein, after said receiving means has received a signal including a predetermined command transmitted from said external device (host computer 30, mouse 37, and keyboard 36, first embodiment), said controlling means moves said pointer only unidirectionally on the basis of the transmitted signal (it is interpreted that the mouse 37 pointer, which is displayed according to the signal provided by the camera control unit 18 can be moved unidirectionally).

48. **Claims 50 and 51** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 5,479,206) in view of Ootsuka et al. (US 6,393,216 B1) in further view of Blackshear (US 5,111,288).

49. As for **Claim 50**, Ueno et al. disclose the image pickup system according to Claim 34. However, Ueno et al. in view of Ootsuka et al. do not explicitly teach holding means for movable holding the video camera.

In the same field of endeavor Blackshear teaches a surveillance camera system that integrates a video display, video camera, and computer and control circuit electronics as seen in

fig. 3. Blackshear further discloses a camera mount 20, which is movable as described in column 4 lines 29-62.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the movable camera mount found in Blackshear into the image pickup system found in Ueno et al. (in combination with Ootsuka et al.) in order to allow the camera to pan 360 degrees continuously with high panning and tilt rates (column 2 lines 41-56 Blackshear).

50. As for **Claim 51**, the combination of Ueno et al. in view of Blackshear further teaches that said controlling means of said video camera moves said video camera by controlling said holding means on the basis of the command information from said commander (column 5 lines 14-32 Blackshear, commands from the computer are sent to the motors that move the video camera).

### ***Conclusion***

51. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

52. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Sinh Tran can be reached on 571.272.7564. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**/Justin P. Misleh/  
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Group Art Unit 2622  
November 1, 2008**